

Government of the District of Columbia  
ZONING COMMISSION



ZONING COMMISSION ORDER NO. 660-A  
Case No. 89-5C  
(PUD @ 2101 Pa. Ave., N.W.)  
September 13, 1990

By Z.C. Order No. 660, dated April 23, 1990, the Zoning Commission for the District of Columbia approved the application of Square 74 Associates for consolidated review of a Planned Unit Development (PUD) for various lots in Square 74 located at 2101 Pennsylvania Avenue, N.W.

Z.C. Order No. 660 provides for the construction of an eleven-story (K St. elevation) mixed-use building containing office uses, a 400-seat repertory movie theater/performing arts facility, a dining facility, and neighborhood-serving retail uses.

The proposed building will have a maximum height of 130 feet, a maximum floor area ratio (FAR) of 8.84, a maximum lot occupancy of 92%, and adequate on-site parking.

Pursuant to 11 DCMR 3028.8., Z.C. Order No. 660 became final and effective upon publication in the District of Columbia Register on May 18, 1990 (37 DCR 3266).

11 DCR 3029.5, in part, requires that a party in a contested proceeding file a motion for reconsideration no more than ten (10) days after an order becomes effective. By letter dated June 6, 1990, counsel for the applicant sought the resolution of a motion for reconsideration of Z.C. Order No. 660.

The motion for reconsideration, which was filed on May 29, 1990 because of a government holiday, requests the Zoning Commission to revise a condition of approval of the project relative to flexibility in varying the height of the mechanical penthouse.

The applicant requests reconsideration of the language contained in Condition No. 30(k) of Z.C. Order No. 660, which grants the applicant flexibility relative to "varying the height of the elevator machine room not more than three feet above the height prescribed by the Regulations; that is 21.5 feet maximum." In lieu thereof, the applicant

proffered substitution language because of concern about securing building permits.

On June 11, 1990, at its regular monthly meeting, the Zoning Commission considered the applicant's motion for reconsideration, and the recommendation of the Secretary to the Zoning Commission that the record should include graphics of the proposal. After discussion, the Commission deferred the matter until the next month, and reopened the record to permit the applicant to file related architectural graphics or drawings and to permit parties an opportunity to comment.

On July 9, 1990, at its regular monthly meeting, the Zoning Commission considered the motion for reconsideration and a graphic submission by the applicant dated June 25, 1990.

Advisory Neighborhood Commission 2A and Ms. Maria Tyler, parties in the case, did not submit any comments in response to the applicant's motion for reconsideration.

The District of Columbia Office of Planning did not submit any comments in response to the applicant's motion for reconsideration.

The Zoning Commission concurs with the applicant, and determined that the merits of the motion are reasonable, appropriate, and would not adversely affect the interest of the subject neighborhood, or ANC-2A.

The Zoning Commission believes that the proposed revision is in the best interest of the District of Columbia, is consistent with the intent and purpose of the Zoning Regulations and Zoning Act, and is not inconsistent with the Comprehensive Plan for the National Capital, as amended.

The proposed action of the Zoning Commission to approve the motion for reconsideration was referred to the National Capital Planning Commission (NCPC) under the terms of the District of Columbia Self-Government and Governmental Reorganization Act. The NCPC, by report dated September 10, 1990, indicated that the proposed action of the Zoning Commission would not adversely affect the Federal Establishment or other Federal interests in the National Capital, nor be inconsistent with the Comprehensive Plan for the National Capital.

In consideration of the reasons set forth herein, the Zoning Commission for the District of Columbia hereby orders APPROVAL of a revision to Condition No. 30(k) of Z.C. Order No. 660, subject to the following:

1. Delete the existing language in Condition No. 30(k);  
and


2. Substitute the following new language for Condition No. 30(k), as shown on Exhibits No. 105 and 106 of the record:

"Varying the height of the mechanical penthouse to extend to a maximum height of 137.5 feet or 7.5 feet above the mechanical/office penthouse cornice line; and varying the height of the elevator machine rooms to a maximum height of 146.5 feet or 9.0 feet above the top of the mechanical penthouse."

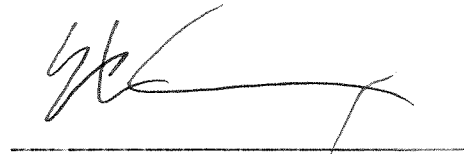
Vote of the Zoning Commission taken at the regular monthly meeting on July 9, 1990: 5-0 (John G. Parsons, William L. Ensign, Maybelle Taylor Bennett, Lloyd D. Smith, and Tersh Boasberg, to approve).

This order was adopted by the Zoning Commission at the regular public meeting on September 13, 1990 by a vote of 5-0 (Maybelle Taylor Bennett, Lloyd D. Smith, William L. Ensign, and Tersh Boasberg, to adopt, and John G. Parsons, to adopt as recorded later in the meeting).

In accordance with the provisions of 11 DCMR 3028, this order is final and effective upon publication in the D.C. Register, that is, on OCT - 5 1990.



TERSH BOASBERG  
Chairman  
Zoning Commission



EDWARD L. CURRY  
Executive Director  
Zoning Secretariat